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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,880	04/14/2004	Douglas P. Lynch	05-00634-02	5670
23845 7590 08/18/2008 ADVANCED BIONICS, LLC 25129 RYE CANYON LOOP VALENCIA, CA 91355				
EXAMINER				
LE, HUYEN D				
ART UNIT		PAPER NUMBER		
2615				
MAIL DATE		DELIVERY MODE		
08/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/823,880

Applicant(s)

LYNCH ET AL.

Examiner

HUYEN D. LE

Art Unit

2615

All participants (applicant, applicant's representative, PTO personnel):

(1) HUYEN D. LE.

(3) _____.

(2) LIZ BUSH.

(4) _____.

Date of Interview: 14 August 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 9.

Identification of prior art discussed: Miller (U.S. patent 6,726,618).

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the limitation of the "external assistive listening device cap" in claim 9. It appears that the proposed limitation of the external assistive listening device cap to be worn to the external to the patient's body would overcome the rejections over the Miller reference. However, the proposed limitation could raise new issue that would require further consideration and/or search.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/HUYEN D. LE/
Primary Examiner, Art Unit 2615
Examiner's signature, if required

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.